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Attorney Docket No. 5190

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FIRST NAMED INVENTOR:	SERIAL NO:	FILING DATE	ART UNIT:	CONF. NO.
Hildegard M. Kramer	10/075,355	Feb. 14, 2002	1633	8887
TITLE:			EXAMINER:	
Biocompatible Fleece For Hemostasis and Tissue Engineering			Not Yet Assigned	

APR 06 2004

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I hereby certify under 37 CFR 1.8(a) that this correspondence (2 pages) is being transmitted by facsimile to 703-872-9306, TC 1600 addressed to: Commissioner for Patents, P.O Box 1450, Alexandria, VA 22313-1450, on April 6, 2004.



Name: Carol S. Celata

Commissioner for Patents
PO. Box 1450
Alexandria, VA 22313-1450

**REPLY WITH ELECTION TO
RESTRICTION REQUIREMENT**

Sir:

In response to the Office Action mailed from the Patent Office on March 26, 2004, applicant submits the following reply with election. Because this reply is submitted within 1 months of the mailing of the Office Action, applicant believes that no fee is due for this submission. Favorable reconsideration of the pending claims is respectfully requested in view of the following amendment and remarks:

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REMARKS

Election:

The claims have been restricted into four groups as follows:

- I. Claims 1-12, 15, and 16 to a method of making a fleece
- II. Claims 14, 17-20, 22, 24-36, and 48-50 to a fleece made by the method of Group I
- III. Claims 21, 23, and 50 to the fleece with cells and its uses
- IV. Claims 37-47, 52, and 53 to a method of treatment of a wound

Applicant hereby elects the claims of group I, with traverse.


Applicant notes that the office action provides rationale for restriction of groups I and II, but seems in fact to refer to claims categories of groups II and III (species of the fleece). Similarly, it provides rationale for restriction of groups I, II, and III when in fact it refers to categories of groups II (product), III (product), and IV (process of use). Applicant thus notes that the Office action failed to provide rationale for restricting the methods of making the fleece (group I) from the products made by the method (groups II and III), and for the methods of making the fleece (group I) from the methods of treatment (group IV).

Thus, Applicant also elects the species of group II, should the claims of group I be found allowable, Applicants believe it is entitled to examination of group II as well, as examiner has not presented any rationale by which the product as defined by product-by-process claims could be made by a different process. Accordingly, Applicants ask for the rejoinder of group I and II, should the claims of group I be found allowable.

Respectfully submitted,

Date: April 6, 2004

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